

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

Anthony Mays et al.,

Plaintiffs,

V.

Thomas J. Dart, Sheriff of Cook
County,

Defendant.

Case No. 20-cv-2134

Hon. Matthew F. Kennelly,
in his capacity as Emergency Judge

Hon. Robert W. Gettleman,
District Court Judge

Hon. M. David Weisman,
Magistrate Judge

**CITY OF CHICAGO’S MOTION FOR LEAVE TO FILE AN *AMICUS CURIAE* BRIEF
IN SUPPORT OF DEFENDANT’S OPPOSITION TO PLAINTIFFS’ EMERGENCY
MOTION FOR A TEMPORARY RESTRAINING ORDER OR PRELIMINARY
INJUNCTION**

The City of Chicago respectfully requests that the Court grant the City leave to file the attached *amicus curiae* brief in support of Defendant’s Opposition to Plaintiffs’ Emergency Motion for a Temporary Restraining Order or Preliminary Injunction.

1. On April 3, 2020, Plaintiffs filed an emergency motion for a temporary restraining order or a preliminary injunction. Plaintiffs requested, among other remedies, an order requiring Sheriff Thomas J. Dart to immediately release all detainees at Cook County Jail who allegedly have a medical condition that makes the detainees more susceptible to COVID-19.
2. On April 6, 2020, Sheriff Dart filed a response opposing Plaintiff's motion.
3. The City believes that the vast majority of detainees released from Cook County Jail would return to Chicago to reside. The City is therefore in a unique position to describe the consequences of granting Plaintiffs' motion. And as explained in the accompanying brief, the City believes that those consequences could be substantial—including risks to the health and safety of City residents.

4. The City requested the parties' consent to this motion. Defendant consented. Plaintiffs objected, expressing concern that the City's brief could delay the Court's ruling.

Accordingly, the City requests that the Court grant the City leave to file the accompanying *amicus curiae* brief.

Dated: April 8, 2020

Respectfully submitted,

By: /s/ Mark A. Flessner

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CERTIFICATE OF SERVICE

I certify that on April 8, 2020, I electronically filed the foregoing with the Clerk of the United States District Court for the Northern District of Illinois using the Court's CM/ECF system, which will automatically send notification of this filing to all counsel of record.

/s/ Stephen J. Kane